REMARKS

Reconsideration and withdrawal of the outstanding objection and rejections are respectfully requested in view of this Response.

The claims have been amended to further clarify the invention. There is no new matter in the amendments.

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1. Claims 4, 8, 11, 16, 19, 20 are rejected under 35 U.S.C. 112, second paragraph; Office Action, page 2, first full paragraph.

Applicants have cancelled these claims. Thus the rejection is moot and applicants respectfully request that it be withdrawn.

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2. Claims 1, 4-7, 9, 11, and 13-15 are rejected under 35 U.S.C. 102(a) as anticipated by Sealy, et al. (U.S. Patent No. 6,561,169, hereinafter Sealy); Office Action, page 2, last paragraph.

Claims 4-7, 11, 13-15 have been cancelled. Applicants respectfully request that the rejection against these claims be withdrawn.

Applicants have amended claims 1 and 9 to recite:

An intercooler for a vehicle engine ... comprising:

a charge air cooler loop employing a glycol-water coolant and including a low temperature reservoir, said charge air cooler loop operatively connected to cool heated, pressurized air ... before it flows into said vehicle engine; and

an air conditioning system bypass loop operatively connecting said air conditioning system to said charge air cooler loop

where said charge air cooler loop and said air conditioning system bypass loop are configured so that said air conditioning system bypass loop operates during vehicle braking to cool said glycol-water coolant to charge said low temperature reservoir.

Support of this amendment is found in the specification as originally filed at page 9, lines 1-3.

Anticipation requires that each and every element of the claimed invention be found in the cited reference. Sealy describes a charge air management system having an intercooler configured to receive additional coolant from the vehicle air conditioning system provided demand on the vehicle air conditioning system is less than a predetermined level. Sealy contains no description of operating the "*air conditioning system bypass loop ...during vehicle braking to cool said glycol-water coolant to charge said low temperature reservoir*..." as currently recited. Thus, the rejection is overcome and applicants respectfully request that it be withdrawn.

Further, because Sealy contains no teaching or suggestion of operating the air conditioning bypass loop during vehicle braking as recited in the amended claims, an obviousness rejection under 35 U.S.C. §103 would also be improper.

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3. Claims 2-3, 10, and 12 are rejected under 35 U.S.C. 103(a) over Sealy in view of Coletti (U.S. Patent No. 6,006,540); Office Action, page 3, second paragraph.

Applicants have cancelled these claims. Thus the rejection is moot and applicants respectfully request that it be withdrawn.

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4. Claims 8 and 16 are rejected under 35 U.S.C. 103(a) over Sealy in view of Fukushima, et al. (U.S. Patent No. 4,425,765, hereinafter Fukushima); Office Action, page 3, last paragraph.

Applicants have cancelled these claims. Thus the rejection is moot and applicants respectfully request that it be withdrawn.

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5. Claims 17-19 are rejected under 35 U.S.C. 103(a) over Sealy in view of Karl (U.S. Patent No. 3,441,011); Office Action, page 4, first paragraph.

Claims 18 and 19 have been cancelled. Thus the rejection as it relates to these claims is moot and applicants respectfully request that it be withdrawn.

Claim 17 has been amended to recite:

An intercooler for a naturally aspirated vehicle engine incorporating a manifold and an air conditioning system, said intercooler comprising:

a charge air cooler loop employing a glycol-water coolant and including a low temperature reservoir, said charge air cooler loop operatively connected to cool air flowing into said manifold; and

an air conditioning system bypass loop operatively connecting said air conditioning system to said charge air cooler loop

where said charge air cooler loop and said air conditioning system bypass loop are configured so that said air conditioning system bypass loop operates during vehicle braking to cool said glycol-water coolant to charge said low temperature reservoir.

Support of this amendment is found in the specification as originally filed at page 9, lines 1-3.

As discussed in section 2, above, Sealy describes a charge air management system having an intercooler configured to receive additional coolant from the vehicle air conditioning system if the demand on the vehicle air conditioning system is less than a predetermined level. Sealy contains no teaching or suggestion of operating the "*air conditioning system bypass loop ...during vehicle braking to cool said glycol-water coolant to charge said low temperature reservoir*..." as currently recited. Thus, the rejection is overcome and applicants respectfully request that it be withdrawn.

Karl is directed to an apparatus for heating or cooling intake air and also contains no teaching or suggestion of operating the air conditioning bypass loop during vehicle braking as recited. Thus, Karl contains no teaching that would make up Sealy's deficiencies.

The teachings of Sealy and Karl, whether considered together or separately, are insufficient to support an obviousness rejection of amended claim 17. Thus, the rejection is overcome and applicants respectfully request that it be withdrawn.

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6. Claim 20 is rejected under 35 U.S.C. 103(a) over Sealy in view of Karl and further in view of Fukushima; Office Action, page 4, last paragraph.

Applicants have cancelled claim 20. Thus the rejection is moot and applicants respectfully request that it be withdrawn.

Summary

In view of the above amendments and remarks, claims 1, 9, and 17 are now in a condition for allowance. Applicants respectfully request reconsideration and withdrawal of the outstanding rejections and notification of allowance.

Should the Examiner have any questions, comments, or suggestions in furtherance of the prosecution of this application, he is asked to contact applicants' representative at the telephone number listed below.

Respectfully submitted,

By _____

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